

### **REMARKS/ARGUMENTS**

The Applicant originally submitted Claims 1-21 in the application. In previous responses, the Applicant amended independent Claims 1, 8, and 15. In the present response, no claims have been amended, canceled, or added. Accordingly, Claims 1-21 are currently pending in the application.

#### **I. Rejection of Claims 1-2, 7-9, 14-16, and 21 under 35 U.S.C. §102**

The Examiner has rejected Claims 1-2, 7-9, 14-16, and 21 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,226,375 to Shaffer, *et al.* ("Shaffer"). The Applicant respectfully disagrees since Shaffer does not teach employing a destination address to automatically initiate a subsequent telephone call to the destination address via a computer network as recited in independent Claims 1, 8, and 15.

The Examiner, citing Figure 4, elements 110, 112, and 116; column 4, lines 18-23; and column 5, lines 37-52 of Shaffer, interprets "updated its memories and redial the correct number as extract from a first telephone call a destination address for a subsequent telephone call" discloses the limitation of extracting from a first telephone call a destination address for a subsequent telephone call. (*See* Final Rejection of March 13, 2008, page 12.) Without addressing whether the Examiner's interpretation and assertion is correct, Shaffer does not teach the subsequent call is sent via a computer network. Rather, Shaffer teaches and suggests the subsequent call uses an updated number from a memory if the original number of the receiving fax machine has changed, or if an error message indicates that a 1 (one) must be dialed before the intended receiver can be reached, then the

original telephone number can be dialed with the appropriate prefix. (*See, e.g.*, column 4, lines 15-23.)

In the Final Rejection of March 13, 2008, the Examiner cites Figure 5 and column 5, line 52, through column 6, line 2 to assert that Shaffer teaches establishing a call over a computer network where "local or wide area network" is interpreted to be the computer network. (*See* Final Rejection of March 13, 2008, page 14.) Shaffer teaches that computer interface 160, connected to digital telephone interface 154, formats data received on telephone line 152 into a form that can be transmitted to a computer system 170 coupled to the computer interface 160 by a communication link 172, which may comprise a dedicated cable, or local or wide area network. (*See, e.g.*, Figure 5 and column 5, line 63, through column 6, line 2.) Thus, Shaffer teaches that data received on telephone line 152 can be transmitted to a computer system 170 over a communication link such as a local or wide area network. The received data, however, is not a telephone call and, more specifically, is not a subsequent telephone call as presently claimed.

For at least these reasons, Shaffer does not teach or suggest a subsequent telephone call to a destination address via a computer network as recited in independent Claims 1, 8, and 15, and, thus does not anticipate independent Claims 1, 8, and 15 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102(e) rejection of Claims 1-2, 7-9, 14-16, and 21 and allow issuance thereof.

## **II. Rejection of Claims 1-21 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable

over U.S. Patent No. 6,760,324 to Scott, *et al.* ("Scott"), in view Shaffer. The Applicant respectfully disagrees.

The Examiner cites Figure 3B; column 8; lines 60-64; element "routing server"; column 9, lines 1-2; column 59, lines 60-65; column 61, lines 41-45, lines 17-20, and lines 25-55; and column 70, lines 15-35 of Scott to assert that Scott teaches and suggests employing a destination address to automatically initiate a subsequent phone call to the destination address via a computer network terminal. (*See* Final Rejection of March 13, 2008, page 5.) Scott is directed to a method, system, and computer program product that provides voice over the Internet communication. (*See, e.g.*, column 2, lines 42-43.) The cited portions relied upon by the Examiner disclose a gateway server 210 used to interface between the public switched telephone network (PSTN) 205 and an Internet Protocol network 215 and the services provided by the gateway server 210 to, *e.g.*: properly route calls over IP network 215 (*see, e.g.*, column 8, line 60, through column 9, line 12); select a service to handle an incoming call (*see, e.g.*, column 59, lines 60-65); assign users to a line group (*see, e.g.*, column 61, lines 17-19); use a privilege level to restrict routes (*see, e.g.*, column 61, lines 25-40); treat DNIS/DID information as the number the user wants to call (*see, e.g.*, column 61, lines 40-55); and translate digits entered by the user into E.164 form with an E.164 parser (*see, e.g.*, column 70, lines 15-35).

However, these cited portions of Scott do not teach or suggest initiating a subsequent telephone call via a computer network as presently claimed. Rather, the cited portions of Scott deal with the first telephone call. As such, the cited portions of Scott do not teach or suggest each and every element of independent Claims 1, 8, and 15. Shaffer has not been cited to cure this deficiency

of Scott but to teach extracting a destination address for a subsequent telephone call. (See Final Rejection of March 13, 2008, pages 5-6.) As such, the cited combination of Scott and Shaffer does not provide a *prima facie* case of obviousness for independent Claims 1, 8, and 15 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 1-21 and allow issuance thereof.

### **III. Rejection of Claims 1-21 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable over Scott in view of U.S. Patent No. 7,110,395 by Blair ("Blair"). As established above, Scott does not teach or suggest initiating a subsequent call via a computer network. Blair has not been cited to cure this deficiency of Scott but to teach extracting a destination address for a subsequent telephone call. (See Final Rejection of March 13, 2008, page 9.) As such, the cited combination of Scott and Blair does not provide a *prima facie* case of obviousness for independent Claims 1, 8, and 15 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 1-21 and allow issuance thereof.

### **IV. Comment on Cited References**

The Applicants reserve further review of the references cited but not relied upon if relied upon in the future.

**V. Conclusion**

In view of the foregoing remarks, Applicant respectfully submits that all of the Claims currently pending in this application are in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-21.

Applicant requests the Examiner to telephone the undersigned agent of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in cursive script that reads "Steven J. Hanke".

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